



Effective 3/01/2022

**Please check the appropriate box(es) and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.**

<b>SUBDIVISIONS</b>	<input type="checkbox"/> Final Sign off of EPC Site Plan(s) (Forms P2)	<input type="checkbox"/> Extension of IIA: Temp. Def. of S/W (Form V2)
<input type="checkbox"/> Major – Preliminary Plat (Forms S & S1)	<input type="checkbox"/> Amendment to Site Plan (Forms P & P2)	<input type="checkbox"/> Vacation of Public Right-of-way (Form V)
<input type="checkbox"/> Major – Bulk Land Plat (Forms S & S1)	<b>MISCELLANEOUS APPLICATIONS</b>	<input type="checkbox"/> Vacation of Public Easement(s) DRB (Form V)
<input type="checkbox"/> Extension of Preliminary Plat (Form S1)	<input checked="" type="checkbox"/> Extension of Infrastructure List or IIA (Form S1)	<input type="checkbox"/> Vacation of Private Easement(s) (Form V)
<input type="checkbox"/> Minor Amendment - Preliminary Plat (Forms S & S2)	<input type="checkbox"/> Minor Amendment to Infrastructure List (Form S2)	<b>PRE-APPLICATIONS</b>
<input type="checkbox"/> Minor - Final Plat (Forms S & S2)	<input type="checkbox"/> Temporary Deferral of S/W (Form V2)	<input type="checkbox"/> Sketch Plat Review and Comment (Form S2)
<input type="checkbox"/> Minor – Preliminary/Final Plat (Forms S & S2)	<input type="checkbox"/> Sidewalk Waiver (Form V2)	<input type="checkbox"/> Sketch Plan Review and Comment (Form P2)
<b>SITE PLANS</b>	<input type="checkbox"/> Waiver to IDO (Form V2)	<b>APPEAL</b>
<input type="checkbox"/> DRB Site Plan (Forms P & P2)	<input type="checkbox"/> Waiver to DPM (Form V2)	<input type="checkbox"/> Decision of DRB (Form A)
<b>BRIEF DESCRIPTION OF REQUEST</b>		
2 Year Extension of Infrastructure Improvements Agreement (IIA)		

<b>APPLICATION INFORMATION</b>		
Applicant/Owner: MDS Investments		Phone: 505-884-3503
Address: 4020 Vassar Dr. NE		Email: kyle@sc3intl.com
City: Albuquerque	State: NM	Zip: 87107
Professional/Agent (if any): Bohannon Huston, Inc. (Michael Balaskovits)		Phone: 505-823-1000
Address: 7500 Jefferson Street NE		Email: mbalaskovits@bhinc.com
City: Albuquerque	State: NM	Zip: 87109
Proprietary Interest in Site: Owner		List all owners: Chirisa MDS OZ II, LLC
<b>SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)</b>		
Lot or Tract No.: Mesa Del Sol Innovation Park Tract 12B		Block:
Subdivision/Addition: Mesa Del Sol Innovation Park		Unit:
MRGCD Map No.:		UPC Code: 10160511233372801
Zone Atlas Page(s): R16	Existing Zoning: PC	Proposed Zoning PC
# of Existing Lots: 1	# of Proposed Lots: 1	Total Area of Site (Acres): 2.93
<b>LOCATION OF PROPERTY BY STREETS</b>		
Site Address/Street: 5620 Turing Dr. SE		Between: Eastman Crossing and: Fritts Crossing
<b>CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)</b>		
DRB - 1006000 City Work Order 775477, PR-2020-004183, SD-2020-00139		

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Signature:	Date: 10/11/2022
Printed Name: Michael Balaskovits, PE	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

## FORM S1: SUBDIVISION OF LAND – MAJOR

*Please refer to the DRB public meeting schedule for meeting dates and deadlines. Your attendance is required.*

### ☐ MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL

### ☐ MAJOR AMENDMENT TO PRELIMINARY PLAT

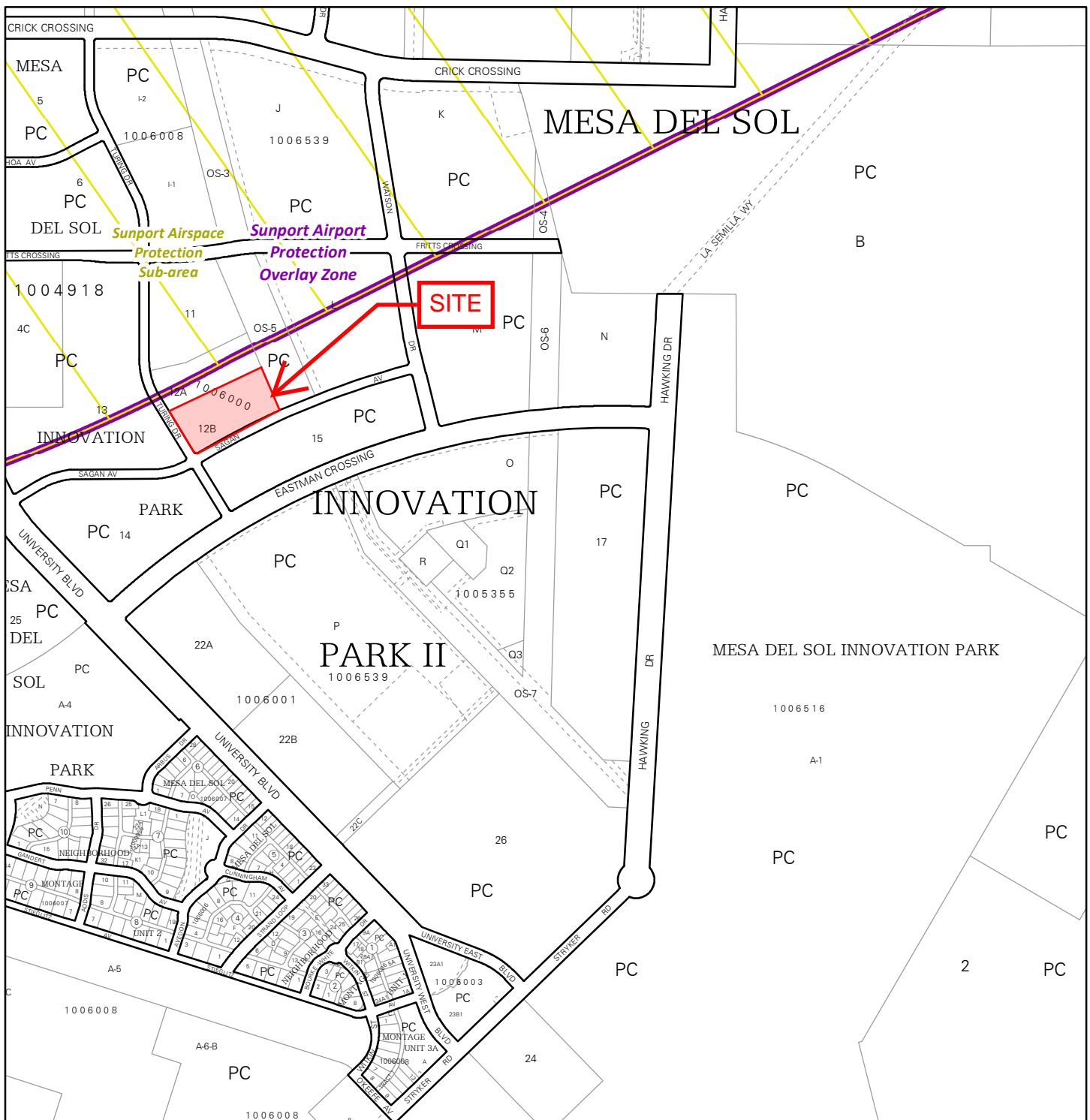
### ☐ BULK LAND SUBDIVISION

- \_\_\_ Interpreter Needed for Meeting? \_\_\_ if yes, indicate language: \_\_\_\_\_
- \_\_\_ A Single PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other on-line resources such as Dropbox or FTP. PDF shall be organized with the Development Review Application and this Form S1 at the front followed by the remaining documents *in the order provided on this form*.
- \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled
- \_\_\_ Letter of authorization from the property owner if application is submitted by an agent
- \_\_\_ Sign Posting Agreement
- \_\_\_ Sites 5 acres or greater: Archeological Certificate in accordance with IDO Section 14-16-6-5(A)
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(L)
- \_\_\_ Proof of Sketch Plat per IDO Section 14-16-6-6(L)(2)(b)
- \_\_\_ Required notices with content per IDO Section 14-16-6-4(K)(1)
  - \_\_\_ Office of Neighborhood Coordination notice inquiry response
  - \_\_\_ Copy of notification letter, completed notification form(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing to affected Neighborhood Association representatives.
  - \_\_\_ Proof of emailed notice to affected Neighborhood Association representatives
  - \_\_\_ Buffer map and list of property owners within 100 feet (excluding public rights-of-way) provided by Planning Department or created by applicant, copy of notifying letter, completed notification forms(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing
- \_\_\_ Sidewalk Exhibit and/or cross sections of proposed streets
- \_\_\_ Site sketch with measurements showing structures, parking, building setbacks, adjacent rights-of-way and street improvements (to include sidewalk, curb & gutter with distance to property line noted) if there is any existing land use
- \_\_\_ Sensitive Lands Site Analysis for new subdivisions of land in accordance with IDO Section 5-2(C)
- \_\_\_ Landfill disclosure statement on the plat per IDO Section 14-16-6-4(S)(5)(d)(2).(d.) if site is within a designated landfill buffer zone
- \_\_\_ Proposed Infrastructure List

### ☐ EXTENSION OF PRELIMINARY PLAT

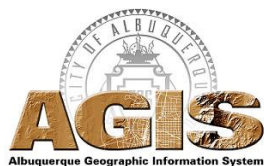
### ☒ INFRASTRUCTURE LIST EXTENSION OR AN INFRASTRUCTURE IMPROVEMENTS AGREEMENT (IIA) EXTENSION *For temporary sidewalk deferral extension, use Form V.*

- ✓ A Single PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto:PLNDRS@cabq.gov) prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other on-line resources such as Dropbox or FTP. PDF shall be organized with the Development Review Application and this Form S1 at the front followed by the remaining documents *in the order provided on this form*.
- ✓ Zone Atlas map with the entire site clearly outlined and labeled
- ✓ Letter of authorization from the property owner if application is submitted by an agent
- ✓ Letter describing, explaining, and justifying the request per IDO Section 14-16-6-4(X)(4)
- ✓ Preliminary Plat or site plan
- ✓ Copy of DRB approved infrastructure list

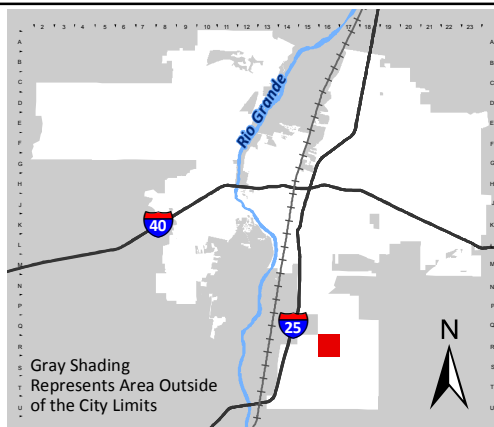


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

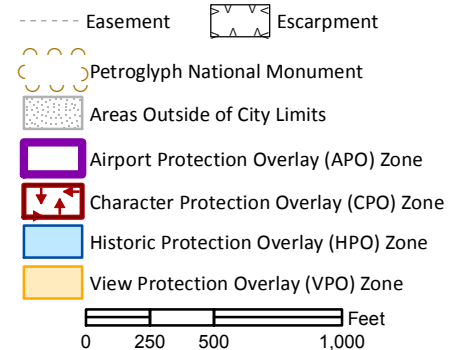
# **IDO Zone Atlas** **May 2018**



IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones  
are established by the  
Integrated Development Ordinance (IDO).



Zone Atlas Page:  
**R-16-Z**



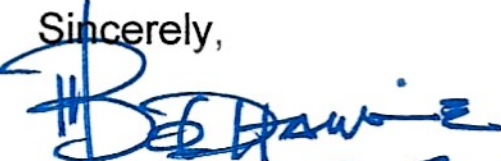
September 27, 2022

RE: Tract 12B Infrastructure Improvements Agreement

To whom it may concern,

I hereby authorize Bohannon Huston, Inc. staff to act as our agent in all matters associated with Development Review Board submittals associated with the above mentioned Infrastructure Improvements Agreement (IIA) Extension.

Sincerely,

  
J. KYLE BOEHMAN.  
MESA DEL SOL.  
9/27/22

October 11, 2022

voice: 505.823.1000  
facsimile: 505.798.7988  
toll free: 800.877.5332

Ms. Jolene Wolfley, Chair  
City of Albuquerque  
Planning Department  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87103

Re: Infrastructure Improvement Agreement Extension (Procedure B), Extension  
Tract 12-B, Mesa del Sol Innovation Park – City Project #775477, DRB# 1006000

Dear Ms. Wolfley:

Submitted for DRB review and approval is a request for an extension to the Infrastructure Improvement Agreement for the above referenced project. Enclosed is the following:

- Form S1
- Application
- Zone Atlas Map
- Letter of Authorization
- Recorded Plat (8.5" x 11")
- DRB Approved Infrastructure List
- 3<sup>rd</sup> IIA Extension

The original approval and IIAs associated with this project were separated into two different efforts. The first project was COA Project number 775487 – This project, and associated infrastructure, was designed to fully support the north half of tract 12 (specifically 2.5 acres in Tract 12A). This project, and associated infrastructure, was fully constructed and accepted in a timely manner subsequent to the original approvals.

The second project was COA Project number 775477 – this is associated with the future development of Tract 12B – 2.9 acres to the south of tract 12A. This land currently is undeveloped and there are no known plans for a user on this property or functional need for the infrastructure.

We are requesting a two (2) year extension of the Infrastructure Improvement Agreement (Procedure B) for the infrastructure improvements for the referenced project. This is a previously approved and recorded IIA and is being submitted for another extension with no changes to the infrastructure improvements outlined in the infrastructure list enclosed.

Please place this item on the DRB agenda to be heard October 19, 2022. If you have any questions, or require further information, please call me (823-1000).

Sincerely,



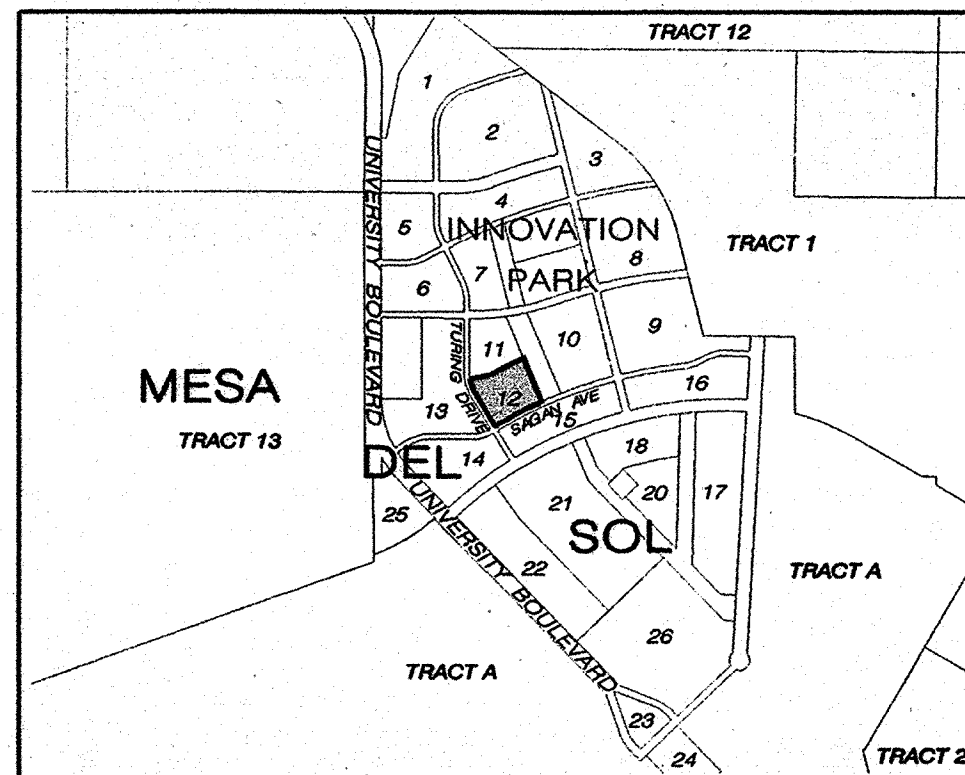
Michael J. Balaskovits, PE  
Senior Vice President  
Community Development and Planning

MBJ/edq  
Enclosure

Engineering ▲  
Spatial Data ▲  
Advanced Technologies ▲



SP-2007520357



**LOCATION MAP**  
ZONE ATLAS INDEX MAP No. R-16  
NOT TO SCALE

**SUBDIVISION DATA**

1. DRB No.
2. Zone Atlas Index No. R-16.
3. Zoning: PC.
4. Gross Subdivision Acreage: 5.4417 Acres.
5. Total number of tracts Created: Two (2) Tracts.
6. No streets were created.
7. Date of Survey: November, 2007.
8. Plat is located within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico.

**DISCLOSURE STATEMENT**

The purpose of this Plat is to subdivide Tract 12 of the Plat of Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 0259 as Document No. 2007131551 into 2 new tracts.

**PUBLIC UTILITY EASEMENTS**

PUBLIC UTILITY EASEMENTS shown on this plat are for the common joint use of Utility Service Providers (dry utilities only), including but not limited to:

- A. PNM Electric Services for the installation, maintenance and service of underground electrical lines, transformers, and other equipment, fixtures, structures, and related facilities reasonably necessary to provide electrical service.
- B. PNM Gas services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.
- C. QWEST for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and closures.
- D. Comcast Cable for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable TV service.
- E. Time Warner for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities reasonably necessary to provide communication services and cable TV service including but not limited to above ground pedestals and closures.

Included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool, (above ground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electric Safety Code caused by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformers/switchgear, as installed shall extend ten feet (10') in front of transformer/switchgear doors and five feet (5') on each side.

**DESCRIPTION**

A certain tract of land within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 12 of the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 259 as Document No. 2007131551.

Tract contains 5.4417 acres, more or less.

**NOTES**

1. Bearings are New Mexico State Plane Grid Bearings (Central Zone) NAD 1983 and the basis of bearings is the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico, filed on September 13, 2007 in Book 2007C, Page 259 as Document No. 2007131551.
2. Record Bearings and distances are the same as shown on this plat and the same as shown on the Bulk Land Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico, filed on September 13, 2007 in Book 2007C, Page 259 as Document No. 2007131551.
3. Basis of Bearings is between City of Albuquerque Control Stations "1-R16 and 3-Q16". Bearing = N12°15'06"E.
4. Distances are ground distances.
5. All easements of record are as shown on the plat of record or made known to me by the owner, utility companies, or other interested parties.
6. All interior tract corners to be monumented by a #5 rebar and yellow plastic survey cap stamped "GROMATZKY PS 16469".
7. Pursuant to section 14-14-4-7 of the City of Albuquerque Code of Ordinances, "No property within the area of requested final action shall at anytime be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots or parcels within the area of proposed plat. The foregoing requirements shall be a condition to approval of this plat or site development plan for subdivision."

**JURISDICTIONAL AFFIDAVIT**

I, Robert Gromatzky, a registered Professional New Mexico Surveyor, hereby affirm that the property described does lie within the platting and subdivision jurisdiction of the City of Albuquerque.

*Robert Gromatzky*  
Robert Gromatzky  
New Mexico Professional Surveyor 16469

Date: January 3, 2008

DOCH 2008023129

02/29/2008 11:02 AM Page: 1 of 2  
PLAT R: \$12.00 B: 2008C P: 0038 N: Toulouse, Bernalillo County

**FREE CONSENT AND DEDICATION**

The foregoing plat of that certain tract of land situate within Section 22, Township 9 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 12 of the Summary Plat for Mesa Del Sol Innovation Park, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 13, 2007 in Book 2007C, page 259 as document No. 2007131551 now comprising Tracts 12-A and 12-B Mesa Del Sol Innovation Park, Albuquerque, New Mexico is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) hereof. Said owner(s) and/or proprietor(s) do hereby grant: All Access, Utility and Drainage Easements shown hereon including the right to construct, operate, inspect, and maintain facilities therein; and all Public Utility Easements shown hereon for the common and joint use of Gas, Electrical Power, and Communication Services for buried distribution lines, conduits, and pipes for underground utilities where shown or indicated, including the right of ingress and egress for construction and maintenance, and the right to trim interfering trees and shrubs. The City has the right to enter upon the Grantees Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the City. If the Work effects any improvements or Encroachments made by the Grantee, the City will not be financially or otherwise responsible for rebuilding or repairing of improvements or encroachments. If in the opinion of the City, the Work to be performed by the City could endanger the structural integrity or otherwise damage the improvements or encroachments, the Grantee shall, at its own expense, take whatever protective measures are required to safeguard the improvements or encroachments. Said owner warrants that he holds complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this subdivision is their free act and deed.

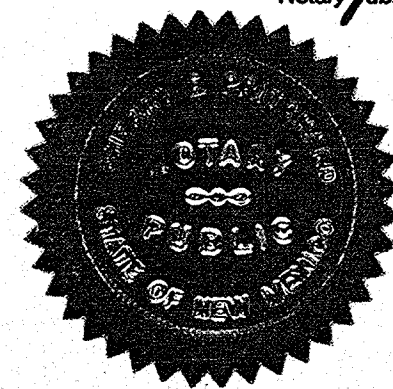
MESA DEL SOL, LLC, a New Mexico Limited Liability Company  
By: FC Covington Manager, LLC, a New Mexico Limited Liability Company, Member  
By: FC Mesa, Inc., a New Mexico Corporation, Member

BY: *Michael D. Daly*  
Chief Operating Officer

State of New Mexico )  
SS  
County of Bernalillo )

This instrument was acknowledged before me on the 4<sup>TH</sup> day of JANUARY 2008 by Michael D. Daly, Chief Operating Officer of FC Mesa, Inc., a New Mexico Corporation, as Member of FC Covington Manager, LLC, a New Mexico Limited Liability Company, as Member of Mesa Del Sol, LLC, a New Mexico Limited Liability Company.

My Commission Expires: 12/20/09 *Notary Public*

**SURVEYOR'S CERTIFICATION**

I, Robert Gromatzky, a registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all easements as shown on the plat of record, or made known to me by the owner, utility companies, or other interested parties and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and meets the minimum requirements for monumentation and surveys contained in the Albuquerque Subdivision Ordinance, and is true and accurate to the best of my knowledge and belief.

*Robert Gromatzky*  
Robert Gromatzky  
New Mexico Professional Surveyor 16469

Date: January 3, 2008



SHEET 1 OF 2

PLAT OF  
**TRACTS 12-A & 12-B**  
**MESA DEL SOL**  
**INNOVATION PARK**  
(A REPLAT OF TRACT 12, MESA DEL SOL INNOVATION PARK)  
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
JANUARY, 2008

PROJECT NUMBER 1006080

APPLICATION NUMBER 08 - 70026

**PLAT APPROVAL**

UTILITY APPROVALS:

N/A	DATE
QWEST TELECOMMUNICATIONS	DATE
N/A	DATE
COMCAST CABLE	DATE
N/A	DATE
PNM ELECTRIC SERVICES	DATE
N/A	DATE
PNM GAS SERVICES	DATE
N/A	DATE
TIME WARNER	DATE

CITY APPROVALS:

<i>Michael D. Daly</i>	1-7-08
CITY SURVEYOR	DATE
<i>Robert Gromatzky</i>	2/27/08
TRAFFIC ENGINEERING, TRANSPORTATION DIVISION	DATE
<i>Robert Gromatzky</i>	2/27/08
ALBUQUERQUE BERNALILLO COUNTY	DATE
WATER UTILITY AUTHORITY	DATE
<i>Christina Sandoval</i>	2/27/08
PARKS & RECREATION DEPARTMENT	DATE
<i>Bridley A. Bishop</i>	2/27/08
A.M.A.F.C.A.	DATE
<i>Christopher A. Chua</i>	2-27-08
CITY ENGINEER	DATE
<i>Paul Chua</i>	2-27-08
DRB CHAIRPERSON, PLANNING DEPARTMENT	DATE

**TAX CERTIFICATION**

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC #

101605017836820101

PROPERTY OWNER OF RECORD Mesa Del Sol LLC

*Alfred M. Miller* 2/29/08  
BERNALILLO COUNTY TREASURER'S OFFICE DATE

In approving this plat, PNM Electric Services and Gas Services (PNM) did not conduct a Title Search of the properties shown hereon. Consequently, PNM does not waive nor release any easement or easement rights to which it may be entitled.

**Bohannon & Huston**

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335  
ENGINEERING & SPATIAL DATA & ADVANCED TECHNOLOGIES

P:\080320\SURVEY\Tract 12 Replat\Tract12replat.dgn  
03-JAN-2008 -  
15:33  
mcole

JOB NO. 080320 003

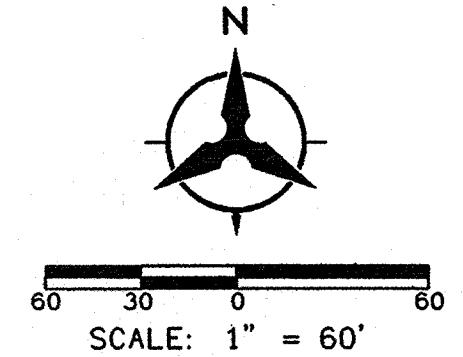
# LEGEND

- SUBDIVISION BOUNDARY LINE
- NEW LOT LINE
- - - EXISTING EASEMENT LINE
- - - NEW EASEMENT LINE
- ADJOINING PROPERTY LINE
- ▲ CITY OF ALBUQUERQUE CONTROL MONUMENT
- #5 REBAR WITH YELLOW PLASTIC SURVEY CAP STAMPED "GROMATZKY PS 16469"

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	04°21'02"	176.30'	352.44'	4641.37'	352.35'	N63°37'41"E
C2	06°33'46"	240.93'	481.34'	4202.32'	481.08'	S62°23'34"W
C3	89°28'12"	13.87'	21.86'	14.00'	19.71'	N76°09'12"W
C4	21°53'19"	68.65'	135.62'	355.00'	134.80'	N20°28'27"W
C5	89°23'22"	19.79'	31.20'	20.00'	28.13'	S76°06'47"E
C6	00°04'50"	2.96'	5.92'	4202.32'	5.92'	S59°09'07"W

ACS BRASS TABLE STAMPED "J-016"  
GEOGRAPHIC POSITION (NAD 83)  
NM STATE PLANE COORDINATES (CENTRAL ZONE)  
X = 1,533,498.782 Y = 1,457,045.094  
GROUND TO GRID FACTOR = 0.999663002  
DELTA ALPHA = -001°21'33"  
NAVD 1988 ELEVATION = 5310.390

PLAT OF  
**TRACTS 12-A & 12-B**  
**MESA DEL SOL**  
**INNOVATION PARK**  
(A REPLAT OF TRACT 12, MESA DEL SOL  
INNOVATION PARK)  
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
JANUARY, 2008



TRACT 11 DEA SITE  
MESA DEL SOL  
INNOVATION PARK  
FILED: SEPT. 09, 2007  
(2007C - 0259)

TRACT 12-A  
2.5194 Acres

TRACT 05-2  
MESA DEL SOL  
INNOVATION PARK  
FILED: SEPT. 09, 2007  
(2007C - 0259)

EXISTING PUBLIC PEDESTRIAN ACCESS  
AND PUBLIC DRAINAGE EASEMENT FOR  
BENEFIT OF TRACTS 1 THRU 26 INCLUSIVE  
OF THE PLAT OF MESA DEL SOL INNOVATION  
PARK (ENTIRE TRACT 05-2)  
FILED: SEPT. 9, 2007  
(2007C-0259)

TRACT 12-B  
2.9223 Acres

EXISTING PUBLIC  
UTILITY EASEMENT  
FILED: SEPT. 09, 2007  
(2007C - 0259)

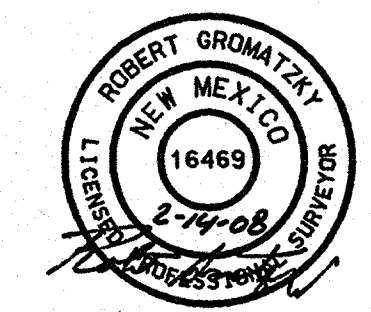
TRACT 13  
MESA DEL SOL  
INNOVATION PARK  
FILED: SEPT. 09, 2007  
(2007C - 0259)

EXISTING PUBLIC  
UTILITY EASEMENT  
FILED: SEPT. 09, 2007  
(2007C - 0259)

ACS BRASS TABLE STAMPED "I-R16"  
GEOGRAPHIC POSITION (NAD 83)  
NM STATE PLANE COORDINATES (CENTRAL ZONE)  
X = 1,532,715.659 Y = 1,453,438.899  
GROUND TO GRID FACTOR = 0.999664099  
DELTA ALPHA = -001°22'46"  
NAVD 1988 ELEVATION = 5291.451

SHADED AREA DESIGNATES PUBLIC  
ROADWAY EASEMENT GRANTED TO  
CITY OF ALBUQUERQUE WITH THE  
FILING OF THIS PLAT  
SEE DETAIL "A"

TRACT 18  
MESA DEL SOL  
INNOVATION PARK  
FILED: SEPT. 09, 2007  
(2007C - 0259)



TRACT 12-B  
2.9223 Acres

DETAIL "A"  
NOT TO SCALE

DOCR 2008023129

02/29/2008 11:02 AM Page: 2 of 2  
PLAT R: \$12.00 B: 2008C P: 0038 R: Toulouse, Bernalillo County

SHEET 2 OF 2

**Bohannon & Huston**

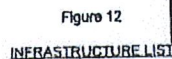
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335  
ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES

P:\080320\SURVEY\Tract 12 Replat\Tract12replat.dgn  
14-FEB-2008 10:20  
mcole

JOB NO. 080320 003



775477



Date Preliminary Plot Expires:

Remove **X**

**ORIGINAL**

**Tract 12A and 12B**  
(Mesa del Sol, Innovation Park)

DRR Project No. 5-20-08 1005000  
①  
② 05/06/09

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	Engineer
-------------------	----------------------	------	---------------------	----------	------	----	----------------------	-------------------	----------

B-1	775487	X
B-1	775487	X
B-1	775478	X
-1	775477	

24' FC-EOP PAVED ROADWAY, STRIPING, CURB AND GUTTER, STREET LIGHTS (1/2 STREET IMPROVEMENT - 300 LF APPROX.; 40' F TO F AT FULL BUILD OUT)

SOLAR MESA AVE. (SOUTH SIDE OF ROW).

EAST TERMINUS OF CITY PROJECT #775481

TURING DR.

24' FC-EOP PAVED ROADWAY, STRIPING, CURB AND GUTTER, STREET LIGHTS (APPROX. 550 LF)

TURING DR.

SOLAR MESA AVE.

SAGAN AVE.

South PL of Tract 12A

24' FC-EOP Paved Roadway, Striping, C&G, Street Lights

Turing Dr.

South PL of Tract 12A

Sagan

24' FC-EOP PAVED ROADWAY, STRIPING, CURB AND GUTTER, STREET LIGHTS (APPROX. 550 LF)

SAGAN AVE.

TURING DR.

WESTERN TRACT OS

A-1 

775487	X
--------	---

  
 B-1 

775487	X
--------	---

12" DIA	SANITARY SEWER LINE, AS REQ'D (APPROX 370LF)	SOLAR MESA AVE.	EAST TERMINUS OF CITY PROJECT #775481	TURING DR.
8" DIA	SANITARY SEWER LINE, AS REQ'D (APPROX 960LF)	TURING DR.	SOLAR MESA AVE.	APPROX. 120 LF SOUTH OF SOUTHERN PROPERTY LINE OF PROPOSED TRACT 12A

B-1

775487	X	
775487	X	
775477		

12" DIA	WATERLINE W/ NEC. VALVES, FH'S, MJS & RJS (APPROX 390 LF)	SOLAR MESA AVE.	EAST TERMINUS OF CITY PROJECT #775481	TURING DR.
8" DIA	WATERLINE W/ NEC. VALVES FH'S, MJS & RJS, STUB OUTS TO PROJECT HAL SITE (APPROX 1,200	TURING DR.	SOLAR MESA AVE.	SAGAN AVE.
2" DIA	WATERLINE W/ NEC. VALVES FH'S, MJS & RJS, STUB OUTS TO BUILDING 2 SITE (APPROX. 550LF)	SAGAN AVE.	TURING DR.	WESTERN BOUNDARY OF TRACT OS-2



SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	Engn.
-------------------	----------------------	------	---------------------	----------	------	----	----------------------	-------------------	-------

☐ A ☒ B PUBLIC/PRIVATE STORM DRAIN IMPROVEMENTS (NOT TO BE FINANCIALLY GUARANTEED)

☒ DRAINAGE IMPROVEMENTS (RETENTION POND FOR SITE, ROAD, AND OFFSITE OUTFALL - APPROX 22 AC-FT) WITHIN TRACT OS-2 AND COVENANT (PRIVATELY OWNED AND MAINTAINED.)

PRIVATE IMPROVEMENTS (NOT TO BE FINANCIALLY GUARANTEED)

B-1 775478 24" STORM DRAIN AND TURNING SAGAN 25 1/2 FT NORTH OF SAGAN

B-1 775478 30" 48" STORM DRAIN AND SAGAN TURNING POND OS-2

NOTE: Street lights not to be financially guaranteed. To be built prior to release of financial guarantee for CPN 77 977

AGENT/OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

JEFFERY L. MULBERY  
PREPARED BY: PRINT NAME  
DATE 1/23/2008

BOHANNAN HUSTON INC.  
FIRM:

Manny Barrera  
9/4/2020

*John Chen*  
DRB CHAIR  
DATE 1/23/08

*Christina Sandoval*  
DATE 1/23/08  
JW 9/4/20

CS  
DATE 1/23/08  
PARKS & GENERAL SERVICES

*Robert Green*  
TRANSPORTATION DEVELOPMENT  
DATE 1-23-08

DG  
DATE 1-23-08

*Bradley D. Babin*  
DATE 1/23/08  
9/3/2020  
CITY ENGINEER

MAXIMUM TIME ALLOWED TO CONSTRUCT  
IMPROVEMENTS WITHOUT A DRB EXTENSION

*Carl Garcia*  
Carl Garcia (Sep 3, 2020 13:50 MDT)

Sep 3, 2020

CODE ENFORCEMENT

DATE

DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT/OWNER
2	05/06/09	<i>Spru</i>	<i>Center of Change</i>	<i>Chen</i>
1	5-20-08	<i>Spru</i>		

**Signature:** 

**Email:** jwolfley@cabq.gov

**Signature:** 

**Email:** earmijo@cabq.gov

**Signature:**   
David Gutierrez (Sep 3, 2020 14:07 MDT)

**Email:** dggutierrez@abcwua.org

**Signature:**   
Jeanne Wolfenbarger (Sep 4, 2020 13:34 MDT)

**Email:** jwolfenbarger@cabq.gov

**Signature:**

**Email:** jwolfenbarger@cabq.gov

**Signature:**

**Email:** csomerfeldt@cabq.gov

**Signature:**   
Cheryl Somerfeldt (Sep 17, 2020 14:25 MDT)

**Email:** csomerfeldt@cabq.gov










# PR-2020-004183\_SD-2020-00150\_Infrastructure\_List\_Approved\_9-2-20 - unsigned

Final Audit Report

2020-09-17

Created:	2020-09-04
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAzN7DF6WseKPqM3Byho2AmqnfflyOg-wS

## "PR-2020-004183\_SD-2020-00150\_Infrastructure\_List\_Approved\_9-2-20 - unsigned" History

-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)  
2020-09-04 - 7:31:06 PM GMT- IP address: 174.56.105.21
-  Document emailed to Jeanne Wolfenbarger (jwolfenbarger@cabq.gov) for signature  
2020-09-04 - 7:32:38 PM GMT
-  Document emailed to Cheryl Somerfeldt (csomerfeldt@cabq.gov) for signature  
2020-09-04 - 7:32:38 PM GMT
-  Email viewed by Jeanne Wolfenbarger (jwolfenbarger@cabq.gov)  
2020-09-04 - 7:33:03 PM GMT- IP address: 143.120.132.68
-  Document e-signed by Jeanne Wolfenbarger (jwolfenbarger@cabq.gov)  
Signature Date: 2020-09-04 - 7:34:04 PM GMT - Time Source: server- IP address: 143.120.132.68
-  Document e-signed by Cheryl Somerfeldt (csomerfeldt@cabq.gov)  
Signature Date: 2020-09-17 - 8:25:38 PM GMT - Time Source: server- IP address: 97.123.107.120
-  Agreement completed.  
2020-09-17 - 8:25:38 PM GMT

**AMENDMENT AND EXTENSION AGREEMENT TO**  
**Procedure "B"**

Project Name: Tract 12-B Mesa del Sol  
Project No. 775477

This Amendment and Extension Agreement made this 5<sup>th</sup> day of April, 2021, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of Developer) MDS Funding, LLC ("Developer"), whose address is 4020 Vassar Dr. NE, Albuquerque, NM, 87107, whose telephone number is (505) 884-3405 and whose email address is nchavez@mesadelsolnm.com is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the parties agree that the word "Subdivider" used in any previous Agreements is replaced with the word "Developer" for this Agreement. This change has no substantive effect on any other provision of the agreement.

WHEREAS, the City and the Mesa del Sol, LLC ("Developer") entered into an Agreement on the 30<sup>th</sup> day of June, 2009 which was recorded in the office of the Clerk of Bernalillo County, New Mexico on July 02, 2009, pages 1 through 10, as Document No. 2009074577 ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 11<sup>th</sup> day of February, 2010 and

WHEREAS, the Earlier Agreement was amended by a 1<sup>st</sup> Extension to Agreement dated February 18, 2010 recorded on February 19, 2010, pages 1 through 4, as Document No. 2010014367 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to February 11, 2011; and

WHEREAS, the Earlier Agreement was amended by a 2<sup>nd</sup> Extension to Agreement dated March 29, 2011 recorded on March 31, 2011, pages 1 through 4, as Document No. 2010014367 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to February 11, 2013; and

WHEREAS, the Earlier Agreement was amended by an Assignment Amendment to Agreement, dated June 03, 2020 recorded on June 03, 2019, pages 1 through 7, as Document No. 2019045463 in the records of Bernalillo County Clerk, State of New Mexico, assigning MDS Funding LLC as Developer and extending the construction deadline to June 03, 2020; and

THEREFORE, the Developer and the City agree to amend the Original Agreement as follows:

**Doc# 2021046557**

04/20/2021 10:37 AM Page: 1 of 6  
AMND R: \$25.00 Linda Stover, Bernalillo County





1. Amending paragraph 4. Work Order Requirements: Paragraph 4 in the original Agreement is deleted and replaced by the following amended paragraph 4:

The Developer must procure a New Mexico licensed Contractor to construct the improvements per the specifications contained in the City-approved construction drawings. The Contractor shall provide proof of proper licensure to complete the improvements. If the Contractor that has been identified by the Developer does not possess all of the proper licenses for the improvements then proof of proper licensure of the subcontractors must be provided. The Developer's Contractor shall obtain a Performance & Warranty bond and a Labor & Materials bond utilizing the bond templates provided and approved by the City. The mandatory bonds obtained by the Contractor are independent of, and in addition to, the Financial Guaranty provided by the Developer. If the Developer or the City determines that the Contractor failed to faithfully construct or maintain the specified and warranted work, the Developer and the City shall each have standing to make claim on the applicable bonds.

2. Extension of Agreement:

WHEREAS, it appears that the Developer will be unable to complete construction of the improvements by the deadline specified in the Agreement; and

WHEREAS, the City is willing to grant Developer an extension of time in which to complete construction of all or part of the improvements, provided the Developer posts an acceptable financial guaranty, as required by the City's Integrated Development Ordinance and the Development Process Manual; and

WHEREAS, the Developer is able to provide the required financial guaranty;

NOW THEREFORE in consideration of the above and the mutual promises contained herein, the parties agree:

3. The required completion date for construction of the improvements, is extended (Complete either A or B:)

A. For all improvements, the 1<sup>st</sup> day of October, 2022.

B. On portions of the improvements as follows:

IMPROVEMENTS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMPLETION DATE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of Financial Guaranty: Infrastructure Bond No. 21166267

Amount: \$357,363.03

Name of Financial Institution or Surety providing Guaranty:

The Guarantee Company of North America USA

Date City first able to call Guaranty (Construction Completion Deadline):  
October 01, 2022

If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call  
Guaranty is:

Additional information:

COA#775477

CITY OF ALBUQUERQUE:

DocuSigned by:  
By: Shahab Biazar  
Shahab Biazar, P.E., City Engineer

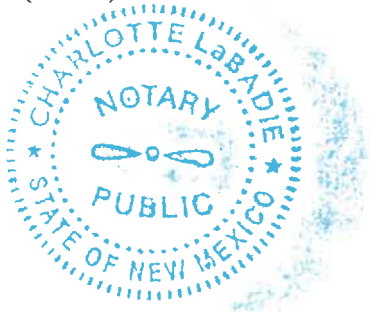
Dated: 4/5/2021 | 4:38 PM MDT

CITY'S NOTARY

[illegible]

This instrument was acknowledged before me on 5th day of April, 2021, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)



Charlotte LaBadi  
Notary Public

My Commission Expires: March 15, 2025



**PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946**

## **OFFICIAL NOTIFICATION OF DECISION**

MDS Investments  
4020 Vassar Drive NE  
Albuquerque, NM 87107

**Project# PR-2020-004183**

**Application#**

**SD-2020-00139 – EXTENSION OF THE  
INFRASTRUCTURE IMPROVEMENTS AGREEMENT  
(IIA)**

### **LEGAL DESCRIPTION:**

For all or a portion of: **TRACT 12B, MESA DEL  
SOL INNOVATION PARK**, zoned PC, located  
at **5620 TURING DR SE between EASTMAN  
CROSSING and FRITTS CROSSING**, containing  
approximately 2.93 acre(s). (R-16)

On September 16, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request based on the following Findings:

1. This is a request to extend the Infrastructure Improvements Agreement for the above referenced area to allow the completion of the project. It is a request for a 2-year extension.
2. The current Infrastructure List was approved in 2008, and amended in 2020 per PR-2020-004183, SD-2020-00150. Tract 2B is currently undeveloped and there are no known plans for a user on the property or functional need for the infrastructure.
3. Pursuant to 14-16-6-4(W)(4)(a) The applicant has made this request in writing prior to the expiration of the previous approval and the DRB, the original approving body, has made a decision using the same procedure required for the initial approval. The city received the application on July 28, 2020, prior to the expiration of the IIA.
4. This action will extend the approval of the IIA to October 1, 2022. Per Section 14-16-6-4(W)(4)(a)(1), the IDO allows one extension of any approval action so this is the **final extension**.
5. The proper notice was given as required by the IDO.



Official Notice of Decision

Project # PR-2020-004183 Application# SD-2020-00139

Page 2 of 2

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **OCTOBER 1, 2020**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) using <https://wettransfer.com>. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Jolene Wolfley  
DRB Chair

JW/jr

Ravens Wing Consulting, Inc., 300 Manual Boulevard NW Suite A402, Albuquerque, NM 87107